

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

BERTRAND GIRARD,)	
)	
Plaintiff)	
)	Civil Action No. 2:16-cv-00165-LEW
v.)	
)	
STEPHEN DODD, ROGER)	
BEAUPRE and CITY OF)	
BIDDEFORD,)	
)	
Defendants.)	

**REVISED CONSENT MOTION TO DISMISS ALL CLAIMS AGAINST DEFENDANTS
ROGER BEAUPRE AND THE CITY OF BIDDEFORD**

NOW COMES the Defendants, Roger Beaupre and the City of Biddeford, (hereinafter collectively “Defendants”) by and through undersigned counsel, and hereby moves for a dismissal of all claims against Defendants, Roger Beaupre and the City of Biddeford, in the above referenced matter. In support of its motion, Defendants states the following and attaches the accompanying certificate of service¹:

1. The Plaintiff, Bertrand Girard, by and through his attorney, Anthony J. Sineni, III, desires and has requested a dismissal, with prejudice and without costs, of all claims that brought or that could have been brought, by him against: (i) the Defendants, Roger Beaupre, in his individual and official capacity; and (ii) the City of Biddeford, in the above referenced matter.

¹ Undersigned counsel, Timothy J. Bryant, apologizes to the Court and other counsel/parties for any confusion caused by my failure to attach a certificate of service with the Consent Motion to Dismiss filed on April 2, 2019. Since the April 2nd motion was electronically filed on the CM/ECF system and notification of such filing was automatically sent to all counsel of record and Pro Se Defendant Stephen Dodd, including, without limitation, Plaintiff Bertrand Girard’s counsel, Anthony J. Sineni, III (anthony@sinenilaw.com), and Pro Se Defendant, Stephen Dodd (smd@maine.rr.com), I mistakenly assumed that pursuant to Fed. Civ. P. 5(d)(1)(B) no certificate of service was required to be filed. Once again, my apologies to the Court and other counsel/parties for any confusion this may have caused.

2. Defendants, Roger Beaupre and the City of Biddeford are amenable to Mr. Girard's request as stated in the preceding paragraph, subject to approval by this Court.

3. Pro Se Defendant has indicated to undersigned counsel, Timothy J. Bryant, Esq. that he has no objection to the filing or granting of this motion.

4. This motion and proposed order are also being filed at the request and with the consent of Plaintiff's counsel, Anthony J. Sineni, III.

WHEREFORE, the Defendants, Roger Beaupre and the City of Biddeford, respectfully requests that the Court grant this motion to dismiss, with prejudice and without costs, all claims that were brought or that could have been brought, by Plaintiff, Bertrand Girard, against: (i) the Defendants, Roger Beaupre, in his individual and official capacity; and (ii) the City of Biddeford, in the above referenced matter.

DATED at Portland, Maine this 30th day of April 2019

/s/ Timothy J. Bryant

Timothy J. Bryant, Esq. (Bar No. 7736)
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/s/ Keith R. Jacques

Keith R. Jacques, Esq. (Bar No. 2962)
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CERTIFICATE OF SERVICE

I, Timothy J. Bryant, hereby certify that on April 30, 2019, I electronically filed the Consent Motion to Dismiss all Claims Against Defendants Roger Beaupre and The City of Biddeford with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record and Pro Se Defendant Stephen Dodd, including, without limitation, Plaintiff Bertrand Girard's counsel, Anthony J. Sineni, III (anthony@sinenilaw.com), and Pro Se Defendant, Stephen Dodd (smd@maine.rr.com).

Further, Timothy J. Bryant, I also hereby certify that on April 30, 2019, I separately arranged for the electronically filed the Consent Motion to Dismiss all Claims Against Defendants Roger Beaupre and The City of Biddeford to be emailed to all counsel of record and Pro Se Defendant Stephen Dodd, including, without limitation, Plaintiff Bertrand Girard's counsel, Anthony J. Sineni, III (anthony@sinenilaw.com), and Pro Se Defendant, Stephen Dodd (smd@maine.rr.com).

Dated: April 30, 2016

/s/ Timothy J. Bryant

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BERTRAND GIRARD,)	
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Plaintiff)	
)	Civil Action No. 2:16-cv-00165-LEW
v.)	
)	
STEPHEN DODD, ROGER)	ORDER
BEAUPRE and CITY OF)	
BIDDEFORD,)	
)	
Defendants.)	

Based on the Motion to Dismiss submitted by Defendants, Roger Beaupre and the City of Biddeford, and with the consent of Plaintiff, Bertrand Girard, and Defendant, Stephen Dodd, this Court hereby grants the Motion to Dismiss and hereby ORDERS that all claims that were brought or that could have been brought, by Plaintiff, Bertrand Girard, against: (i) the Defendants, Roger Beaupre, in his individual and official capacity; and (ii) the City of Biddeford, in the above referenced matter, by dismissed with prejudice and without costs as of the date of this Order.

Dated:

Honorable Lance E. Walker